

Agricultural Marketing Service  
Office of the Deputy Administrator for Marketing Programs  
Fruit and Vegetable Programs  
PACA Branch  
Regional Office  
GS-1146-7 (Mediator/Investigator)  
Fruit and Vegetable Marketing Specialist (Regulatory)

**Standard Job FV57**

**I. INTRODUCTION**

The PACA Branch administers the Perishable Agricultural Commodities Act (PACA) which prohibits unfair trade practices in the marketing of fresh and frozen fruits and vegetables in interstate or foreign commerce, and the Produce Agency Act (PAA). The position is located in a regional office of the Branch.

The incumbent serves as a Fruit and Vegetable Marketing Specialist responsible for performing a variety of technical support duties associated with complaint, license, and trust matters originating under the PACA, and complaint matters originating under the PAA.

**II. DUTIES AND RESPONSIBILITIES**

Handles routine contractual disputes in reparation complaints of limited scope and complexity, and participates as a team member in broader investigations, through correspondence and personal contacts with the parties involved. Prepares portions of written analyses on results of findings.

Participates in conducting personal investigations and audits of business records to verify accounts of sale, assemble evidence for use in administrative or court proceedings, prevent or correct unfair trade practices in the trading of perishable agricultural commodities, and evaluate financial status of fruit and vegetable traders. Prepares portions of written analyses of results of audits and findings of investigations.

Conducts routine investigations, including examinations of books and records of produce dealers, for the purpose of determining whether a business is of a nature and conducted in sufficient volume to require a license. Make recommendations of whether a business requires a PACA license.

Travels with higher graded marketing specialists throughout the region for the purpose of assisting in conducting more difficult investigations under the PACA and PAA.

Personal investigations generally require overnight travel within the regional office boundaries and at times to other parts of the country for periods of one to three weeks. Overall travel may range between 20 to 35 percent of the time.

Updates the Branch database with information and activities related to complaint, license, violator, and administrative matters.

Counsels members of the produce industry by describing their rights and liabilities under the PACA.

Makes ongoing contact with members of the produce industry and others involved in the marketing of fruits and vegetables to acquaint them with program objectives, policies, interpretations of the enabling statutes and regulations, and with the licensing requirements of the PACA to accept applications for license.

Adheres to Equal Employment and Civil Rights policies, goals and objectives in performing the duties of this position. Assures that written and oral communications are bias-free and that differences of other employees and clients are respected and valued.

### **III. FACTORS**

#### **A. Knowledge Required by the Position:**

Knowledge of the PACA and the established rules, regulations, policies, and precedents established.

Knowledge of production, marketing, and distribution procedures unique to the fresh and frozen fruit and vegetable industry.

Knowledge of the grading procedures and U.S. grade standards for fruits and vegetables.

Ability to analyze evidence and develop findings and recommendations as a result of investigations under the provisions of the PACA.

Knowledge of various laws relating to business structures, bankruptcy, and state regulatory functions.

#### **B. Supervisory Controls:**

The incumbent is under the technical and administrative supervision of the Regional or Assistant Regional Director who provides the ongoing work assignments in terms of objectives, priorities, and deadlines. The employee works independently in carrying out regular and recurring assignments; but, advice and guidance are provided on new or unusual situations/assignments. Incumbent's work is reviewed for completeness, appropriateness, accuracy, effectiveness in achieving desired results, and conformance to Branch, Division, and Agency regulations.

#### **C. Guidelines:**

Guidelines consist of enabling statutes as well as a variety of Branch, Division, and Agency regulations, policies and procedures. Guidelines also include USDA and court precedent decisions involving contracts, agency, and fair trade practice, as well as bankruptcy laws and various State laws. The incumbent interprets and applies the guidelines to a variety of different situations. The employee adapts the guidelines to specific cases and one-of-a-kind situations. New interpretations and adaptations are discussed with the supervisor or higher graded marketing specialist prior to application.

**D. Complexity:**

The work involves resolving highly technical contractual matters requiring knowledge of many aspects of marketing. The work also involves the ability to extract information, obtain evidence, and reach conclusions on data obtained from diverse business records.

**E. Scope and Effect:**

The work product has a direct and substantial impact on fair trade practices in the industry. Large sums of money, and even the right of fruit and vegetable traders to engage in business, can be affected by the recommendations and conclusions of the incumbent.

**F. Personal Contacts:**

The employee maintains contacts with co-workers, other employees of the Branch, Division, and Agency; members of the fruit and vegetable industry and related industries, such as truckers and railroad officials; attorneys; other Federal officials; and, state government officials. Contacts are sometimes made under adverse conditions, and incumbent will encounter hostility and occasional aggressive behavior from individuals subject to sanctions under the laws.

**G. Purpose of Contacts:**

The purpose of the contacts are to provide advice on contractual disputes, obtain evidence for administrative and court proceedings, and resolve complaint and license issues.

**H. Physical Demands:**

There are no physical demands required; however, there may be occasional standing, bending, walking, and carrying of relatively light items such as files or business records.

**I. Work Environment:**

The work is performed in an office setting; however, there may be occasional exposure to high-risk situations typical of fruit and vegetable processing plants, distribution warehouses, and storage areas.

